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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,729	01/19/2000	Baik-hee Han	Q57577	3502

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Sughrue Mion Zinn MacPeak & Seas PLLC
2100 Pennsylvania Avenue NW
Washington, DC 20037-3202

EXAMINER

NATNAEL, PAULO M

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/487,729

Applicant(s)

HAN, BAIK-HEE

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims **1-2** are rejected under 35 U.S.C. 102(e) as being anticipated by **Shim** et al., U.S. Pat. No. 6,344,882.

Considering claim 1, shim et al. discloses all claimed subject matter, note;

a) the claimed key input for inputting a channel number according to a user's selection is met by control key Matrix 16, (Fig. 6).

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- b) the claimed a tuner for tuning to a channel corresponding to the channel number selected by the key input, among received broadcasting signals is met by Tuner 11, (Fig. 6);
- c) the claimed a signal processor for processing a composite video signal of said channel tuned and output from the tuner is met by IF Signal Processing Unit 12, (Fig. 6);
- d) the claimed a memory for storing the channel number is met by Memory 17, (Fig. 6);
- e) the claimed a controller for receiving the channel number output from the key input and storing the channel number output from the key input in the memory while controlling the tuner to tune to a broadcasting channel corresponding to the received channel number is met by Micro Computer 18, (Fig. 6).

Considering claim 2, the claimed wherein the controller receives the signal output from the signal processor, determines whether a broadcasting signal is present in the currently tuned broadcasting channel and, stores the corresponding broadcasting channel number in the memory only if a broadcasting signal is present is met by the disclosure that the "Microcomputer 18 discriminates whether there exist any broadcast signal on the pertinent channel on the basis of the IF AGC supplied from the intermediate frequency signal processing unit 12 through the level shifter 22. If a broadcast signal is discriminated, then microprocessor 18 stores such channel data in the memory 17." (Col. 6, lines 53-58)

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shim** et al., U.S. Pat. No. 6,344,882 in view of **Beery**, U.S. Pat. No. 5,963,269.

5.

Considering claim 3, the claimed a character signal generator for generating a character signal for indicating memorization of the channel number selected by the key input, a mixer for mixing a signal output from the signal processor with a signal output from the character signal generator, and a display for displaying a signal output from the mixer.

Regarding claim 3, Shim discloses a CPT display. The CPT would be capable of displaying the data that is outputted from the processing unit 13, which "receives the image signals outputted from the intermediate frequency signal processing unit 12..." (col. 6, lines 40-43) Shim doesn't specifically disclose character signal generator nor a mixer. However, it would be obvious that in order to display any character such as a channel number on the display screen, there would have to be a character generator that would generate such a character or label signal.

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Beery discloses an apparatus for controlling a television receiver using a plurality of stored labels, wherein an on-screen display controller (FIG.1) is disclosed. Beery teaches that "For example, suppose that HBO is received by the television on channel "3" and stored in ROM is the display legend "HBO". As previously described, entry of the keystrokes "4, 2, 6" will cause the television to tune to channel "3" and the legend "HBO" to be displayed on the screen." (Col. 20, lines 5-10)

Therefore, it would have been obvious to the skilled in the art at the time the invention was made that in order to display any character such as a channel number or a legend such as "HBO" on the display screen, there would have to be a character generator or an on-screen display controller that would generate such a signal.

Considering claim 4, the claimed wherein the controller controls the character signal generator to generate a current broadcasting channel number and a character signal indicating memorization of the channel number so that said user can easily identify the memorized broadcasting channel.

Regarding claim 4, see rejection of claim 3.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Nakamura U.S. Pat. No. 6,400,422 discloses a television receiver comprising a channel preset device wherein "A channel in which the actual broadcasting signal is detected is determined as an on-air channel." (See Abstract)

B) Sakakibara, U.S. Pat. No. 6,400,421 discloses a channel preset device wherein a microcomputer first determines whether or not a broadcasting is on the air on the basis of the presence of a horizontal sync signal obtained through sync separation by a video IC..." (See Abstract)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Paulos Natnael** whose telephone number is **(703) 305-0019**. The examiner can normally be reached on **Monday through Friday** from **6:30 a.m.** to **3:00 p.m.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Miller**, can be reached on **(703) 305-4795**.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

or:


(703) 872-9314 (for informal or draft communications, please label "PROPOSED" OR "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A. Sixth Floor (Receptionist).

Paulos M. Natnael

August 20, 2002

Pmn


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600